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WASTE DISCHARGE REQUIREMENTS ORDER R5-2025-0063

ORDER INFORMATION

Order Type:	Waste Discharge Requirements (WDRs)
Status:	Adopted
Program:	Non-15
Region 5 Office:	Redding
Discharger:	Sunsweet Growers Inc.
Facility:	Sunsweet Dryers Red Bluff
Address:	23385 Hogsback Road, Red Bluff
County:	Tehama County
Parcel No.:	049-060-004-000
CIWQS Place ID:	259600
Prior Order:	94-309

CERTIFICATION

I, PATRICK PULUPA, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 12 December 2025.

Date: 2025.12.30 09:29:26 -08'00'

PATRICK PULUPA,
Executive Officer

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FINDINGS

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) hereby finds as follows:

INTRODUCTION

1. Sunsweet Growers Inc. (Discharger), a California corporation, owns and operates Sunsweet Dryers Red Bluff (Facility) located approximately four miles east of Red Bluff (Section 14, T27N, R3W, MBD&M). The Facility and Land Application Area (LAA) are located on Assessor's Parcel Number 049-060-004-000. The Facility location is depicted on the Facility Location Map in **Attachment A**.

2. As Facility owner and operator, the Discharger is responsible for compliance with the waste discharge requirements (WDRs) prescribed in this order.

3. The following materials are attached and incorporated as part of this Order:

   a. ATTACHMENT A — SITE LOCATION MAP

   b. ATTACHMENT B — FACILITY MAP

   c. Standard Provisions & Reporting Requirements dated 1 March 1991 (SPRRs).

   d. Monitoring and Reporting Program Order (MRP)

4. WDRs Order 94-309, adopted on 28 October 1994, prescribed requirements for the discharge of process wastewater from the Facility and allowed a 30-day average daily discharge of up to 100,000 gallons. WDRs Order 94-309 was over 30 years old and required revision and, therefore, this Order rescinds and replaces prior WDRs Order 94-309.

5. On 1 December 2022, the Discharger submitted a Report of Waste Discharge (ROWD) that describes an existing process wastewater discharge from the Facility to a reportedly two-acre LAA via subsurface disposal or flood irrigation. The ROWD was deemed complete on 13 January 2023.

Existing Facility and Discharge

6. The Discharger operates a prune dehydrator, where plums are rinsed, dehydrated, stored, and sorted during the process season. The Facility is comprised of two dipper tanks, wash lines, drying tunnels, aerated concrete-lined wastewater sump, and LAA

7. The process season and subsequent discharge is four to six weeks, during August and September. From 2018 to 2023, the Facility operated an average of 29 days annually and dried an average of 10,425 green tons of plums annually. Process wastewater is generated during fruit rinsing and drying tray rinsing.

8. Table 1 below shows a summary of the Facility's process water discharge from 2018 to 2023:

Table 1 – Process Water Flows

Year	Average Flow (gallons/day)	Processing Days	Total Annual Flow (Gallons)	Plums Processed Annually (Tons)
2018	27,631	28	773,668	9,221
2019	27,314	34	928,675	8,280
2020	17,741	35	620,932	4,984
2021	29,058	34	987,980	12,193
2022	55,698	17	946,858	10,877
2023	41,448	25	1,036,206	16,990

9. Fruit arrives at the Facility and is placed into one of two dippers where it is rinsed and separated from leaves, twigs, soil, and spoiled fruit. Process wastewater from the dippers discharges to a sump and pumped through a screen, then discharged into a 50,000-gallon aerated concrete-lined wastewater sump. Process wastewater is treated with enzymes and deodorizer to minimize odors at the Facility and LAA. Process wastewater from the wastewater sump is discharged to a reportedly two-acre LAA. The Discharger has been reporting the LAA at two acres, however, satellite imagery shows the LAA at approximately 1.2 acres, see Attachment C – Facility Map. Wastewater is applied to the LAA through both subsurface and flood irrigation methods. Subsurface disposal is through a 1,000-foot leach line with a 7,700 gallons per day (gpd) capacity, once capacity is reached, process wastewater is applied via flood irrigation until the LAA is saturated. The site has a surface impoundment located adjacent to the solar panels. The Discharger indicated this is used sparingly as emergency storage for process wastewater if the LAA is too saturated and has been used twice in the last five years. Forage grasses are grown in the LAA and are cut and harvested to maintain the LAA.

10. Stormwater at the site is conveyed to the wastewater sump and discharged to the leach field and LAA; process wastewater and stormwater are not typically comingled, as the process season does not coincide with the rainy season. Domestic wastewater is conveyed to an onsite leach field that is separate from the process wastewater leach field. Domestic wastewater is not comingled with process wastewater.

11. The wastewater sump is allowed to dry annually for sludge removal. Sludge, green waste from the dippers, and solids from the screen are transported to Bella Farms in Corning or Tehama County landfill for disposal.

12. Water is supplied by an onsite well; the Discharger samples the supply well for biochemical oxygen demand (BOD) and dissolved oxygen (DO) one or two times annually. From 2018 to 2023, DO ranged from 3.16-10.44 mg/L with an average of 6.48 mg/L, and BOD was non-detect in all but the September 2019 sampling event, which was 2.5 mg/L. MRP R5-2025-0063 requires additional monitoring of the supply well.

13. The Discharger samples process wastewater from the wastewater sump weekly during the process season for BOD and DO. Additional constituent data was obtained from Sunsweet Dryer's Madera, Hamilton City, and Marysville facilities, which use a similar process and are used, in part, as the basis for requirements in this Order. MRP R5-2025-0063 requires additional monitoring of the process wastewater effluent.

Table 2 – Effluent Data from March 2017-December 2023

Constituent	Unit	Minimum	Maximum	Average
BOD	mg/L	283	2,700	1,343
EC	µmhos/cm	293	584	377
Total Nitrogen	mg/L	0.68	7.01	3.97
TDS	mg/L	481	1,766	821
FDS	mg/L	288	478	372

Values for BOD were obtained from weekly sampling events at the Facility from 2018 to 2023. Values for the remaining constituents are averages obtained from the Discharger's Madera, Hamilton City, and Marysville facilities from 2013 to 2021.

Site-Specific Conditions

Topography, Climate, and Land Use

14. Google Earth shows the Facility and disposal areas sit between approximately 279 to 287 feet above mean sea level (amsl) and topography is generally flat. Federal Emergency Management Agency maps, the Facility and disposal areas are located within an area of minimal flood hazard.

15. The Facility is in a Mediterranean climate characterized by dry summers and wet winters; the rainy season is typically from November through April. According to the Western Regional Climate Center's online database, the nearest precipitation monitoring station is located at Red Bluff Municipal Airport, Station 047292, and the average annual precipitation measured at that location from 1933-2016 is 23.2 inches. According to data in the 1982 *Technical Report NWS 34, Mean Monthly, Seasonal, and Annual Pan Evaporation for the United States,* published by the United States Department of Commerce, National Oceanic and Atmospheric Administration, the average annual pan evaporation is 65.59 inches in Red Bluff, Station 7291.

16. United States Department of Agriculture Natural Resources Conservation Service soil service maps characterize surface soils. Soils beneath the Facility and LAA are characterized as Los Robles clay loam, with 0-3 percent slopes, to a depth of approximately 60 inches below ground surface (bgs). Depth to restrictive layer is more than 80 inches; the capacity of the most limiting layer to transmit water is considered moderately high, 0.20-0.57 inches/hour.

17. Land use surrounding the Facility is agricultural and residential.

Groundwater Conditions

18. According to the California Department of Water Resources SGMA Data Viewer (https://gis.water.ca.gov/app/gicima/), depth to groundwater is approximately30-50 feet bgs and groundwater elevation is approximately 242-252 feet amsl.

19. Regional groundwater data was obtained on the Water Quality Portal website (http://www.waterqualitydata.us/) that is provided by the United States Environmental Protection Agency, the United States Geological Survey, and the National Water Quality Monitoring Council. Nearby groundwater quality was established by reviewing data from three wells that are within three miles of the Facility. Data from the three wells can be found in Table 3 below:

Table 3 – Groundwater Data

Well	027N003W36002M	027N003W22B002M	027N003W16K001M
Date Sampled	12/4/2018	11/26/2007	2/25/2019
Well Depth (feet bgs)	121	80	137
EC (µmhos/cm)	308	433	466
Nitrate as N (mg/L)	2.65	2.48	8.81
Chloride (mg/L)	8.46	51.8	17
Sulfate (mg/L)	13.5	11.4	22.1
Sodium (mg/L)	12.6	45.6	15.1
pH (SU)	7.9	6.6	8.1

Legal Authorities

20. This Order is adopted pursuant to Water Code section 13263, subdivision (a), which provides in pertinent part as follows:

> *The regional board, after any necessary hearing, shall prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge…, with relation to the conditions existing in the disposal area or receiving waters upon, or into which, the discharge is made or proposed.*

Compliance with section 13263, subdivision (a), including implementation of applicable water quality control plans, is discussed in the findings below.

21. The ability to discharge waste is a privilege, not a right, and adoption of this Order shall not be construed as creating a vested right to continue discharging waste. (Wat. Code, § 13263, subd. (g))

22. This Order and its associated MRP are also adopted pursuant to Water Code section 13267, subdivision (b)(1), which provides as follows:

> *[T]he regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste … shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports and shall identify the evidence that supports requiring that person to provide the reports.*

The reports required under this Order, as well as under the separately issued MRP, are necessary to verify and ensure compliance with WDRs. The burden associated with such reports is reasonable relative to the need for their submission.

Basin Plan Implementation

Beneficial Uses of Water

23. The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins* (Basin Plan) designates beneficial uses, establishes water quality objectives (WQOs), contains implementation plans and policies for protecting waters of the basin, and incorporates by reference plans and policies adopted by the State Water Resources Control Board (State Water Board). Pursuant to Water Code section 13263(a), waste discharge requirements must implement the Basin Plan.

24. Local surface drainage is to Salt Creek, a tributary of the Sacramento River. Beneficial uses of the Sacramento River from Shasta Dam to Colusa Basin Drain as stated in the Basin Plan (Table 2-1) include municipal and domestic supply; agricultural supply; service supply; hydropower generation; water contact recreation; non-contact water recreation; canoeing and rafting; warm and cold freshwater habitat; warm and cold migration; warm and cold spawning; wildlife habitat; and navigation.

25. The beneficial uses of underlying groundwater as set forth in the Basin Plan are municipal and domestic supply, agricultural supply, industrial service supply, and industrial process supply.

Water Quality Objectives

26. The Basin Plan establishes narrative WQOs for chemical constituents, tastes and odors, and toxicity in groundwater. It also sets forth a numeric WQO for total coliform organisms.

27. The Basin Plan's numeric WQO for bacteria requires that the most probable number (MPN) of coliform organisms over any seven-day period shall be less than 2.2 per 100 mL in MUN designated groundwater.

28. The Basin Plan's narrative WQOs for chemical constituents, at a minimum, require waters designated as domestic or municipal supply to meet the maximum contaminant levels (MCLs) specified in California Code of Regulations, title 22 (Title 22). The Central Valley Water Board may apply limits more stringent than MCLs to ensure that waters do not contain chemical constituents in concentrations that adversely affect beneficial uses.

29. The Basin Plan's narrative WQO for tastes and odors requires that waters shall not contain taste- or odor-producing substances in concentrations that impair beneficial uses or otherwise cause conditions of nuisance.

30. The Basin Plan's narrative WQO for toxicity requires that groundwater be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, animal, plant, or aquatic life associated with designated beneficial uses.

Salt and Nitrate Control Programs

31. The Central Valley Water Board adopted Basin Plan amendments incorporating new programs for addressing ongoing salt and nitrate accumulation in the Central Valley at its 31 May 2018 Board Meeting (Resolution R5-2018-0034). The Basin Plan amendments became effective on 17 January 2020 and were revised by the Central Valley Water Board in 2020 with Resolution R5-2020-0057 (https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2020-0057_res.pdf). The revisions to the Basin Plan amendments became effective on 10 November 2021.

32. For the Salt Control Program, dischargers that are unable to comply with stringent salinity requirements will instead need to participate in a basin-wide effort known as the Prioritization and Optimization Study (P&O Study), which is intended to develop a long-term salinity strategy for the Central Valley, and to implement efforts to control salinity through performance-based measures determined the Central Valley Water Board. The Discharger

(**CV-SALTS ID 2534)** was issued a Notice to Comply with the Salt Control Program on 5 January 2021. On 15 July 2021, the Discharger paid the fee to join the P&O Study. This Order requires the Discharger to continue efforts to control salinity in its discharge and sets a performance-based effluent limit for TDS of 125 percent of the measured annual average concentration. (See Requirement E.1, Effluent Limitations.)

33. The Discharger is not currently subject to the Nitrate Control Program (NCP) because its discharge is to a non-prioritized groundwater basin 5-021.54 and the Discharger is not proposing to increase the level of nitrate discharged to groundwater. The Discharger may become subject to the NCP in the future if the Central Valley Water Board issues Notices to Comply to dischargers discharging nitrate to the receiving basin and/or authorizes an expansion of the Discharger's discharge of nitrate to the environment. This Order requires the Discharger to comply with the Basin Plan's WQO for Nitrate as Nitrogen of 10 mg/L.

Special Considerations for High Strength Waste

34. For the purpose of this Order, "high strength wastewater" is defined as wastewater that contains concentrations of readily degradable organic matter that exceed typical concentrations for domestic sewage. Such wastes contain greater than 500 mg/L BOD and often contain commensurately high levels of total Kjeldahl nitrogen (TKN), which is a measure of organic nitrogen and ammonia nitrogen. Typical high strength wastewaters include septage, some food processing wastes, winery wastes, and rendering plant wastes.

35. Excessive application of high strength wastewater to land can create objectionable odors, soil conditions that are harmful to crops, and degradation of underlying groundwater with nitrogen species and metals, as discussed below. Such groundwater degradation can be prevented or minimized through implementation of best management practices which include planting crops to take up plant nutrients and maximizing oxidation of BOD to prevent nuisance conditions.

36. With regard to BOD, excessive application can deplete oxygen in the vadose zone and lead to anoxic conditions. At the ground surface, this can result in nuisance odors and fly-breeding. When insufficient oxygen is present below the ground surface, anaerobic decay of organic matter can create reducing conditions. Reducing conditions convert metals that are naturally present in the soil as relatively insoluble (oxidized) forms to more soluble reduced forms. This condition can be exacerbated by acidic soils and/or acidic wastewater. If the reducing conditions do not reverse as the percolate travels down through the vadose zone, these dissolved metals (primarily iron, manganese, and arsenic) can degrade shallow groundwater quality. Many aquifers contain enough

dissolved oxygen to reverse the process, but excessive BOD loading over extended periods may cause beneficial use impacts associated with these metals.

37. Typically, irrigation with high strength wastewater results in high BOD loading on the day of application. It is reasonable to expect some oxidation of BOD at the ground surface, within the evapotranspiration zone, and below the root zone within the vadose (unsaturated) zone. The maximum BOD loading rate that can be applied to land without creating nuisance conditions or leaching of metals can vary significantly depending on soil conditions and operation of the land application system.

38. *Pollution Abatement in the Fruit and Vegetable Industry*, published by the United States Environmental Protection Agency, cites BOD loading rates in the range of 36 to 600 pounds/acre/day (lbs/acre/day) to prevent nuisance, but indicates the loading rates can be even higher under certain conditions. The studies that supported this report did not evaluate actual or potential groundwater degradation associated with those rates. There are few studies that have attempted to determine maximum BOD loading rates for protection of groundwater quality. Those that have been done are not readily adapted to the varying soil, groundwater, and climate conditions that are prevalent throughout the region.

39. The California League of Food Processors' *Manual of Good Practice for Land Application of Food Processing/Rinse Water* (*Manual of Good Practice*) proposes risk categories associated with BOD loading rate ranges as follows:

    a. Risk Category 1: Less than 50 lbs/acre/day; depth to groundwater greater than 5 feet. Indistinguishable from good farming operations with good distribution important.

    b. Risk Category 2: Less than 100 lbs/acre/day; depth to groundwater greater than 5 feet. Minimal risk of unreasonable groundwater degradation with good distribution important.

    c. Risk Category 3: Greater than 100 lbs/acre/day; depth to groundwater greater than 5 feet. Requires detailed planning and good operation with good distribution very important to prevent unreasonable degradation, as well as use of oxygen transfer design equations that consider site-specific application cycles and soil properties and special monitoring.

    Although it has not been subject to a scientific peer review process, the *Manual of Good Practice* provides science-based guidance for BOD loading

rates that, if fully implemented, are considered a best management practice to prevent groundwater degradation due to reduced metals.

The discharge regulated by this Order falls within Risk Category 2. To quality for Risk Category 2, the depth to groundwater should be greater than 5 feet, the depth to groundwater under the site is approximately 38-58 feet bgs. Risk Category 2 allows a BOD loading rate of 100 lbs/acre/day. According to the Web Soil Survey the capacity of the most limiting layer to transmit water is considered moderately high, 0.20-0.57 inches/hour. This Order sets an irrigation cycle average BOD loading rate for the LAA of 100 lbs/acre/day.

Antidegradation Policy

40. State Water Board Resolution 68-16, *Statement of Policy with Respect to Maintaining High Quality Waters in California* (Antidegradation Policy), which is incorporated as part of the Basin Plan, prohibits the Central Valley Water Board from authorizing degradation of “high quality waters” unless it is shown that the discharge(s) causing such degradation will be consistent with the maximum benefit to the people of California, will not unreasonably affect beneficial uses, and will not result in water quality worse than applicable WQOs. Any discharge to high quality waters must be subject to WDRs that will result in the best practicable treatment or control (BPTC) necessary to ensure that pollution or nuisance will not occur and the highest water quality consistent with the maximum benefit to the people of the State will be maintained.

41. The Antidegradation Policy applies when an activity discharges waste to high quality waters and will result in some degradation of such high quality waters. "High quality waters" are those waters where water quality is better than established WQOs. Whether water is high quality is established on a constituent-by-constituent basis, which means that a water can be considered high quality with respect to one constituent, but not for others (see State Water Board Order WQ 91-10). If the activity will not result in the degradation of high-quality waters, the Antidegradation Policy does not apply, and the dischargers need only demonstrate that it will use "best efforts" to control the discharge of waste.

42. Determination of compliance with the Antidegradation Policy will be determined based on local area groundwater quality that can be found in Table 3.

43. Constituents of concern that have the potential to degrade groundwater include salts and organics. Table 4 below summarizes BOD, FDS, and TDS loading rates. BOD average loading rate is calculated using data from effluent monitoring from 2018 to 2023 and a LAA area of 1.2 acres, TDS and FDS average loading rate were calculated using data from effluent monitoring at

Sunsweet's Hamilton City, Orland, and Madera drying facilities from 2013 to 2021, flow data used to calculate loading rates were obtained from the Facility from between 2018-2023.

Table 4 – FDS, TDS, and BOD Loading Rates

Constituent	Average Effluent Concentration	Average Loading Rate	Maximum Anticipated Loading Rate
FDS	372 mg/L	lbs/acre/year	181 lbs/acre/year
TDS	821 mg/L	189 lbs/acre/year	400 lbs/acre/year
BOD	1,343 mg/L	330 lbs/acre/day	654 lbs/acre/day

BOD loading calculations were performed using the Facility's effluent concentrations, number of operating days, and annual flow, as reported in the Discharger's monitoring reports. TDS and FDS loading calculations were performed using the average concentrations provided by the Discharger's consultant from the above-named facilities, number of operating days, and annual flow provided in the monitoring reports. Maximum anticipated loading rates were calculated using the maximum daily wastewater discharge of 70,000 gallons over a 29-day process season.

a. **Salinity.** The difference between the average concentration of TDS and FDS in the effluent indicates that a portion of salinity that is applied to the LAA is organic and will likely degrade during land application. MRP R5-2025-0063 requires source water and effluent monitoring for TDS and FDS in order to further evaluate the nature of salinity loading at the LAA and leach field. Table 3 shows area groundwater with low levels of EC, indicating that the groundwater is high quality with regard to salinity.

Forage grasses are grown in the LAA and are harvested or cut to maintain the LAA. The Discharger cited a study that was completed for the Hamilton City dryer, where they measured the field uptake of salts by a similarly managed field. The average salt uptake rate by the vegetation was 1,522 lbs/acre/year from 2013-2015. Given the limited volume (10,041-33,748 gpd, from 2018-2023) and duration of the discharge (23-35 days per year, from 2018-2023) to the LAA and leach field, the Facility's discharge is not expected to impact groundwater quality across the site.

The Discharger is participating in the P&O study to comply with CVSALTS requirements as discussed in Finding 32.

b. **Organics.** The Facility discharges waste with an average BOD concentration of 1,343 mg/L to the LAA, with an average loading of 330 lbs/acre/day from 2018 to 2023. As stated in Finding 39, a BOD loading rate of 100 lbs/acre/day as Risk Category 2 in the *Manual of Good Practice*. This Order includes a cycle average daily BOD loading rate of 100 lbs/acre/day to the LAA. The Discharge is not expected to cause nuisance conditions.

Excessive BOD loading can cause certain metal constituents, such as manganese, iron, and arsenic, that are naturally present in the soil as relatively insoluble (oxidized) forms to more soluble reduced forms. However, even application of process wastewater, utilization of the entire LAA and leach field, and adherence to the BOD cycle average loading limit required by this Order should be sufficient to prevent reducing conditions.

44. The Discharger implements, or will implement, as required by this Order the following measures, which the Central Valley Water Board has determined constitute BPTC for the discharge and the constituents of concern described above. These measures will minimize the extent of water quality degradation resulting from the discharge authorized by this Order:

a. Solids screening for off-site disposal prior to discharge to the wastewater sump.

b. Use of wastewater sump prior to discharge to the LAA and process wastewater leach field.

c. The Discharger must prepare and implement an *Organic Loading and Reduction Workpla*n as outlined in Provision K.1. a. and b.

d. Compliance with a BOD cycle average loading rate of 100 lbs/acre/day shall be achieved upon completion of work required by Provisions K.1.a. and K.1.b. and no later than two years after Order adoption.

e. Compliance with an Annual Performance-Based Effluent Limit for TDS.

f. The Discharger must maintain compliance with the Salt Control Program, including participation in the Prioritization and Optimization Study (P&O Study).

45. Degradation of groundwater by some typical waste constituents released with discharge from the Facility, after effective source reduction, treatment, and control, and considering the best efforts of the Discharger and magnitude of anticipated degradation, is of maximum benefit to the people of the state. The economic prosperity of valley communities and associated industry is of maximum benefit to the people of the state and, therefore, sufficient reason exists to accommodate growth and limited groundwater degradation as a result Facility operations. The Facility contributes to the economic prosperity of the region by providing employment, income to aligned businesses, and a tax base for local and county governments. The Facility employs three full-time employees and between fifty and seventy seasonal employees. The Facility also serves numerous local farms. Accordingly, to the extent that any degradation occurs as the result of the Facility's continued operation, such degradation is consistent with the maximum benefit to the people of the State of California.

46. Based on the foregoing, the adoption of this Order is consistent with the Antidegradation Policy.

California Environmental Quality Act

47. The issuance of this Order, which prescribes requirements and monitoring of waste discharges at an existing facility, with negligible or no expansion of its existing use, is exempt from the procedural requirements of CEQA (Pub. Res. Code, § 21000 et seq.) pursuant to California Code of Regulations, title 14, section 15301. The discharges authorized under this Order are substantially within parameters established under prior WDRs, particularly with respect to the character and volume of previously authorized discharges.

Other Regulatory Considerations

48. Pursuant to Water Code section 106.3, subdivision (a), it is "the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes." Although this Order is not subject to Water Code section 106.3, as it does not revise, adopt, or establish a policy, regulation, or grant criterion (see § 106.3, subdivision (b)), it nevertheless promotes the policy by requiring discharges to meet MCLs for drinking water (excluding salinity), which are designed to protect human health and ensure that water is safe for domestic use. For salinity, this Order requires compliance with the Salt Control Program. Although the Basin Plans' Exceptions Policy for Salinity, Nitrate, and/or Boron allows participants in these Programs to obtain limited-term exceptions from MCLs for salinity, these Programs are consistent with the Human Right to Water Policy because their over-arching management goals and priorities include the short-term provision of providing safe drinking water to

impacted users and long-term restoration of impacted groundwater basins and sub-basins where reasonable, feasible, and practicable.

Title 27 Exemption

49. This Order, which prescribes WDRs requiring compliance with the Basin Plan for discharges of wastewater that does not need to be managed as hazardous waste, is exempt from the prescriptive requirements of California Code of Regulations, title 27, section 20005 et seq. (See Cal. Code Regs., tit. 27, § 20090, subdivision (b).)

Water Code Section 13149.2

50. These WDRs regulate a facility that may impact a disadvantaged community and include an alternative compliance path that allows the Discharger time to come into compliance with WQOs for saline constituents. In particular, the Discharger has selected the Alternative Salinity Permitting Approach for the Salt Control Program, which provides an alternative approach for compliance with salinity limits through implementation of specific requirements (i.e., support facilitation and completion of the P&O Study). The Central Valley Water Board has satisfied the outreach requirements set forth in Water Code section 189.7 by conducting outreach in affected disadvantaged and tribal communities through its notice and comment procedures. Pursuant to Water Code section 13149.2, the Central Valley Water Board reviewed readily available information and information raised by interested persons concerning anticipated water quality impacts in disadvantaged communities resulting from adoption of this Order. The Board also considered environmental justice concerns within the Board's authority previously raised by interested persons with regard to those impacts.

51. The Central Valley Water Board anticipates that the issuance of these WDRs will result in water quality impacts within the scope of the Board's authority. Specifically, these WDRs authorize the discharge of wastewater with salinity concentrations that may cause degradation or exceedances of applicable WQOs in the near term. The BPTC measures required by this Order, as described above, are intended to minimize and, in the longer term, mitigate the impacts of the Facility's discharges to nearby disadvantaged communities in Tehama County. Although this Order may result in limited increases to salinity concentrations in groundwater in the near-term, the Salt and Nitrate Control Programs are intended to achieve long-term balance and restoration, where possible, of salt- and nitrogen-impacted groundwater basins across the region.

Threat-Complexity Rating

52. For the purposes of California Code of Regulations, title 23, section 2200, the Facility has a threat-complexity rating of **3-B**.

    a. Threat Category "3" reflects waste discharges that could either degrade water quality without violating water quality objectives or cause beneficial use impairments that are minor relative to Categories 1 and 2.

    b. Complexity Category "B" reflects any discharger not included in Category A, with either (1) physical, chemical or biological treatment systems (except for septic systems with subsurface disposal), or (2) any Class II or Class III WMUs.

Scope of Order

53. This Order is strictly limited in scope to those waste discharges, activities and processes described and expressly authorized herein.

54. Pursuant to Water Code section 13264, subdivision (a), the Discharger is prohibited from initiating the discharge of new wastes (i.e., other than those described herein), or making material changes to the character, volume, or timing of waste discharges authorized herein, without filing a new ROWD pursuant to Water Code section 13260. Failure to file a new ROWD before initiating material changes to the character, volume, or timing of discharges authorized herein constitutes an independent violation of these WDRs.

55. This Order is also strictly limited in applicability to those individuals and/or entities specifically designated herein as "Discharger," subject only to the discretion to designate or substitute new parties in accordance with this Order.

Procedural Matters

56. All of the above information, as well as the information contained in the attached Information Sheet, was considered by the Central Valley Water Board in prescribing the WDRs set forth below.

57. The Discharger, interested agencies, and other interested persons were notified of the Central Valley Water Board's intent to prescribe the WDRs in this Order, and provided an opportunity to submit their written views and recommendations at a public hearing. (See Wat. Code, § 13167.5.)

58. At a public meeting, the Central Valley Water Board heard and considered all comments pertaining to the discharges regulated under this Order.

59. The Central Valley Water Board will review and revise the WDRs in this Order as necessary.

REQUIREMENTS

IT IS HEREBY ORDERED, pursuant to Water Code sections 13263 and 13267, that WDRs Order 94-309 is rescinded (except for enforcement purposes); and that the Discharger and its agents, employees, and successors shall comply with the following:

A. Standard Provisions

Except as expressly provided herein, the Dischargers shall comply with the Standard Provisions and Reporting Requirements dated 1 March 1991 (SPRRs), which are incorporated herein.

B. Discharge Prohibitions

1. Waste classified as “hazardous” (see Title 22, § 66261.1 et seq.) shall not be discharged at the Facility under any circumstance.

2. Waste constituents shall not be discharged or otherwise released from the Facility (including during treatment and storage activities) in a manner that results in:

   a. Violations of the Groundwater Limitations of this Order; or

   b. Conditions of “nuisance” or “pollution,” as defined per Water Code section 13050.

3. Discharge of wastes other than process wastewater from the Facility at the location and in the manner described in the Findings and authorized herein is prohibited.

4. Except as provided in Section E.2 of the SPRRs, process wastewater shall not bypass any part of the storage, conveyance, or disposal systems.

5. Discharge of domestic wastewater to the process wastewater leach line or LAA is prohibited.

C. Conditional Discharge Prohibitions

1. During Phase I of the Salt Control Program, the Discharger is prohibited from discharging salts at concentrations exceeding the salinity numeric value of 700 μmhos/cm (as a monthly average) and 900 μmhos/cm (as

an annual average) unless the Discharger is implementing the Phase I requirements of the Salt Control Program Alternative Permitting Approach (i.e., full participation in the P&O Study).

D. Flow Limitation

1. Discharge flows shall not exceed 70,000 gallons per day as averaged over the entire year's process season.

E. Performance Based Salinity Limitation

1. To comply with the Salt Control Program, the Discharger has selected the Alternative Salinity Permitting Approach (i.e., participation in the P&O Study), therefore, as discussed in Finding 32, these WDRs establish a performance-based effluent limitation for TDS of 125 percent of the measured annual average concentration.

F. Mass Loading Limitation

1. By two years following adoption of this order, process wastewater applied to the LAA shall not exceed the following BOD mass loading limitation.

Table 5 – BOD Mass Loading Limitation

Constituent	Limit
BOD Mass Loading[1]	100 lbs/acre/day[2]

Table Notes:

1. BOD loading to the LAA and leach field, calculated as a cycle average as determined by the method described in the attached MRP Order R5-2025-0063.
2. An interim BOD loading limit of 140 lbs/acre/day is in effect until Facility improvements are made as outlined in Provisions K.1.a. and b.

G. Discharge Specifications

1. The discharge shall remain within the permitted waste treatment containment structures.

2. The Discharger shall operate all systems and equipment to maintain compliance with these WDRs.

3. All conveyance, treatment, storage, and disposal systems shall be designed, constructed, operated, and maintained to prevent inundation or washout due to floods with a 100-year return frequency.

4. Objectionable odors shall not be perceivable beyond the limits of the Facility property at an intensity that creates or threatens to create nuisance conditions. As a means of ensuring compliance with this discharge specification, the Discharger shall comply with the following:

    a. The dissolved oxygen (DO) content in the upper one foot of any wastewater treatment or storage pond/sump shall not be less than 1.0 mg/L for three consecutive sampling events. Notwithstanding the DO monitoring frequency specified in the monitoring and reporting program, if the DO in the pond(s) is below 1.0 mg/L for any single sampling event, the Discharger shall implement daily DO monitoring of that pond until the minimum DO concentration is achieved for at least three consecutive days. If the DO in the pond is below 1.0 mg/L for three consecutive days, the Discharger shall report the findings to the Central Valley Water Board in accordance with Section B.1 of the SPRRs. The written notification shall include a specific plan to resolve the low DO results within 30 days of the first date of violation.

6. The Discharger shall design, construct, operate, and maintain the wastewater sump sufficiently to protect the integrity of containment dams and berms and prevent overtopping and/or structural failure. The operating freeboard of the pond shall never be less than two feet (measured vertically from the lowest possible point of overflow). As a means of management and to determine compliance with this requirement, the Discharger shall install and maintain a permanent staff gauge with calibration marks that clearly show the water level at design capacity and enable determination of available operational freeboard.

7. Wastewater treatment, storage, and disposal ponds or structures shall have sufficient capacity to accommodate allowable wastewater flow, design seasonal precipitation, and ancillary inflow and infiltration during the winter while ensuring continuous compliance with all requirements of this Order. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.

8. On or about 1 October of each year, available capacity shall at least equal the volume necessary to comply with Discharge Specifications F.6 and F.7.

9. All ponds and open containment structures shall be managed to prevent breeding of mosquitoes. Specifically:

    a. An erosion control program shall be implemented to ensure that small coves and irregularities are not created around the perimeter of the water surface.

    b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.

    c. Dead algae, vegetation, and debris shall not accumulate on the water surface.

    d. The Discharger shall consult and coordinate with the local Mosquito Abatement District to minimize the potential for mosquito breeding as needed to supplement the above measures.

10. Newly constructed or rehabilitated berms or levees (excluding internal berms that separate ponds or control the flow of water within a pond) shall be designed and constructed under the supervision of a California Registered Civil Engineer.

11. The Discharger shall remove accumulated solids annually in the wastewater sump prior to the start of the process season.

H. Groundwater Limitations

Release of waste constituents from any portion of the Facility shall not cause or contribute to groundwater containing constituent concentrations in excess of the concentrations specified below:

1. Concentrations that exceed either the Primary or Secondary MCLs established in California Code of Regulations, title 22, excluding salinity.

2. Contain taste or odor-producing constituents, toxic substances, or any other constituents in concentrations that cause nuisance or adversely affect beneficial uses.

I. Land Application Area Specifications

For the purposes of this Order, “land application areas” or “LAAs” refers to the LAA described in Finding 9, as shown in Attachment B.

1. Crops shall be grown and harvested on the LAAs. Crops shall be selected based on nutrient uptake, consumptive use of water, and irrigation requirements to maximize uptake of nutrients.

2. The perimeter of the LAAs shall be graded to prevent ponding along public roads or other public areas and prevent runoff or overspray onto adjacent properties not owned or controlled by the Discharger.

3. Application of waste constituents to the LAAs shall be at reasonable agronomic rates to preclude creation of a nuisance or unreasonable degradation of groundwater, considering crop, soil, climate, and irrigation management system. The annual nutritive loading of the LAAs, including nutritive value of organic and chemical fertilizers, and the wastewater shall not exceed the annual crop demand.

4. Wastewater from the Facility shall not be applied within:

    a. 50 feet of a water supply well,

    b. 50 feet of a surface water or surface water drainage course, or

    c. 25 feet of a property line or public right-of-way unless the irrigation system is managed to prevent runoff or overspray, in which case a minimum setback of 5 feet shall be maintained.

5. Hydraulic loading of wastewater and irrigation water shall be managed to:

    a. Provide water only when water is needed and in amounts consistent with crop needs.

    b. Maximize crop nutrient uptake

    c. Maximize breakdown of organic waste constituents in the root zone

    d. Minimize the percolation of waste constituents below the root zone (i.e., deep percolation).

    The Central Valley Water Board recognizes that some leaching of salts is necessary to manage salt in the root zone of the crops. Leaching shall be managed to minimize degradation and maintain or reduce, to the extent practicable, concentrations of saline constituents and nitrate (and other forms of nitrogen speciation) in receiving waters.

6. The resulting effect of the discharge on soil pH shall not exceed the buffering capacity of the soil profile.

7. Land application of wastewater shall be managed to minimize erosion.

8. The Discharger shall not discharge process wastewater to the LAA when soils are saturated (e.g., during or after significant precipitation).

9. The Discharger shall ensure that all water is applied and distributed with reasonable uniformity on adequate acreage to preclude the creation of nuisance conditions.

10. Any irrigation runoff (i.e., tailwater) shall be confined to the LAA or returned to the process wastewater system and shall not enter any surface water drainage course or storm water drainage system.

11. The LAA shall be managed to prevent breeding of mosquitoes. More specifically:

    a. All applied irrigation water must infiltrate completely within 48 hours;

    b. Ditches not serving as wildlife habitat shall be maintained free of emergent marginal, and floating vegetation; and

    c. Low-pressure and unpressurized pipeline and ditches accessible to mosquitos shall not be used to store process wastewater.

12. Irrigation of the LAAs shall occur only when appropriately trained personnel are on duty.

13. As required by the MRP, LAAs shall be inspected periodically to determine compliance with the requirements of this Order. If an inspection reveals noncompliance or threat of noncompliance with this Order, the Discharger shall temporarily stop land application use immediately and implement corrective actions to ensure compliance with this Order.

J. Solids Disposal Specifications

1. For the purpose of this Order, residual solids include the solid, semisolid, and liquid organic matter removed during the screening of wastewater.

2. Residual solids shall be removed from screens, vaults, and ponds as needed to ensure optimal operation, prevent nuisance conditions, and maintain adequate storage capacity.

3. Any handling and storage of residual solids shall be temporary and controlled and contained in a manner that minimizes leachate formation and precludes infiltration of waste constituents into soils in a mass or concentration that will violate the groundwater limitations of this Order.

4. If removed from the site, residual solids shall be disposed of in a manner approved by the Executive Officer and consistent with California Code of Regulations, title 27, division 2. Removal for reuse as animal feed, biofuel feedstock, or at land disposal (i.e., landfills, composting facilities, soil amendment sites operated in accordance with valid waste discharge requirements issued by a regional water board) will satisfy this specification.

5. Any proposed change in solids use or disposal practice shall be reported in writing to the Executive Officer at least 90 days in advance of the change.

K. Provisions

1. The following report shall be submitted pursuant to Water Code section 13267:

   a. Within **two months** of adoption of this Order, the Discharger shall establish the actual area of the LAA and report finding to Central Valley Water Board staff.

   b. Within **six months** of the adoption of this Order, the Discharger shall submit an *Organic Loading Reduction Workplan* that outlines actions the Discharger will implement to reduce organic loading to the LAA and come into compliance with the BOD loading limit (see Requirement F.1). The *Organic Loading Reduction Workplan* must include the actual acreage of the LAA. Following Central Valley Water Board staff concurrence with the Organic Loading Reduction Work Plan, the Discharger shall submit written updates biannually regarding implementation of the work plan.

   c. Within **two years** of the adoption of this order, the Discharger shall have come into compliance with the BOD loading limit to the LAA and submit a completion report. Following concurrence with the *Organic Loading Reduction Work Plan,* the Discharger shall

provide written updates to Central Valley Water Board Staff biannually regarding implementation of the *Organic Loading Reduction Workplan*.

2. The Discharger shall comply with the separately issued MRP R5-2025-0063, and any revisions thereto as ordered by the Executive Officer. The submittal dates of Discharger self-monitoring reports shall be no later than the submittal date specified in the MRP.

3. A copy of this Order (including Information Sheet, Attachments, and SPRRs) and the MRP shall be kept at the Facility for reference by operating personnel. Key operating personnel shall be familiar with their contents.

4. The Discharger shall comply with the applicable provisions of the Salt and Nitrate Control Programs adopted in Resolution R5-2018-0034 (and revised per Resolution R5-2020-0057) to address ongoing salt and nitrate accumulation in the Central Valley and developed as part of the Central Valley Salinity Alternatives for Long-Term Sustainability (CV-SALTS) initiative.

5. In accordance with California Business and Professions Code sections 6735, 7835, and 7835.1, engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. All technical reports specified herein that contain workplans for investigations and studies, that describe the conduct of investigations and studies, or that contain technical conclusions and recommendations concerning engineering and geology shall be prepared by or under the direction of appropriately qualified professional(s), even if not explicitly stated. Each technical report submitted by the Discharger shall bear the professional's signature and stamp.

6. The Discharger shall submit the technical reports and work plans required by this Order for consideration by the Executive Officer and incorporate comments the Executive Officer may have in a timely manner, as appropriate. Unless expressly stated otherwise in this Order, the Discharger shall proceed with all work required by the foregoing provisions by the due dates specified.

7. The Discharger shall comply with all conditions of this Order, including timely submittal of technical and monitoring reports. On or before each report due date, the Discharger shall submit the specified document to the Central Valley Water Board or, if appropriate, a written report detailing

compliance or noncompliance with the specific schedule date and task. If noncompliance is being reported, then the Discharger shall state the reasons for such noncompliance and provide an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Central Valley Water Board in writing when it returns to compliance with the time schedule. Violations may result in enforcement action, including Central Valley Water Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or rescission of this Order.

8. The Discharger shall, at all times, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the Discharger to achieve compliance with the conditions of this Order. Proper operation and maintenance also include adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by the Discharger when the operation is necessary to achieve compliance with the conditions of this Order.

9. The Discharger shall use the best practicable cost-effective control technique(s), including proper operation and maintenance, to comply with this Order.

10. As described in the SPRRs, the Discharger shall report promptly to the Central Valley Water Board any material change or proposed change in the character, location, or volume of the discharge.

11. In the event of any change in control or ownership of the Facility, the Discharger must notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to the Central Valley Water Board.

12. To assume operation as Discharger under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Central Valley Water Board, and a statement. The statement shall comply with the signatory paragraph of Standard Provision B.3 and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the Water Code. If approved by the Executive Officer, the transfer request

will be submitted to the Central Valley Water Board for its consideration of transferring the ownership of this Order at one of its regularly scheduled meetings.

13. The Central Valley Water Board will review this Order periodically and will revise requirements when necessary.

ENFORCEMENT

If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to $10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350, and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

ADMINISTRATIVE REVIEW

Any person aggrieved by this Central Valley Water Board action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. The State Water Board must receive the petition by 5:00 p.m. on the 30th day after the date of this Order; if the 30th day falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions are available on the Internet (at the address below) and will be provided upon request. (http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

ATTACHMENTS

ATTACHMENT A — SITE LOCATION MAP
ATTACHMENT B — FACILITY MAP
MONITORING AND REPORTING PROGRAM R5-2025-0063
STANDARD PROVISIONS AND REPORTING REQUIREMENTS

ATTACHMENT A — SITE LOCATION MAP

ATTACHMENT B — FACILITY MAP